

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Michael R. Whipple,

Plaintiff,

Civil No. 13-2861 (JRT/HB)

v.

Matthew Stenger, security counselor, Minnesota Sex Offender Program; Tony Hulke, security counselor, Minnesota Sex Offender Program; Thomas M. Andrews, security counselor lead, Minnesota Sex Offender Program; Michelle B. Untiedt, Minnesota Sex Offender Program; Jerry Yushta, Office of Special Investigator (OIS) Minnesota Sex Offender Program; Lori Pherson, security counselor, Minnesota Sex Offender Program; Michelle Bremer, security counselor, Minnesota Sex Offender Program; Chris Rysavy, security counselor, Minnesota Sex Offender Program; Bryan J. Abel, security counselor, Minnesota Sex Offender Program and is on the A-Team; Ryan R. Hulke, security counselor, Minnesota Sex Offender Program; Nathan Herme, security counselor, Minnesota Sex Offender Program; Kevin Graves, security counselor, Minnesota Sex Offender Program; Thomas Edwards, a PsyD, LP-Psychologist 3 MSOP (St. Peter site); Gary Grimm, Assistant Program Director MSOP (St. Peter site); Robert Elsen, a Behavior Analyst (BAII) MSOP (St. Peter site); Luke Moulder, a behavior Analyst (BAZ) MSOP (St. Peter site); Andrew Steel, security counselor, Minnesota Sex Offender Program; James Hickey, Officer of the Day (O.D.) MSOP (St. Peter site); Dennis Benson, former Chief Executive Officer of the Minnesota Sex Offender Program; Eric Thomas, Assistant Group Supervisor (St. Peter site); and David J. Stenger, security counselor, Minnesota Sex Offender Program,

Defendants.

**ORDER ON REPORT
AND RECOMMENDATION**

Michael R. Whipple, 209714, 1111 Highway 73, Moose Lake, MN 55767-9452, *pro se* plaintiff.

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is **ADOPTED**;
2. Defendants Matthew Stenger, Tony Hulke, Michelle B. Untiedt, Lori Pherson, Chris Rysavy, Bryan J. Abel, Ryan Hulke, Eric Thomas, David J. Stenger, Thomas M. Andrews, Jerry Yushta, Michelle Bremer, Nathan Herme, Kevin Graves, and Andrew Steel are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

Dated: July 22, 2016
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court